



IFW

# AMENDMENT TRANSMITTAL LETTER

Docket No.  
SPINE 3.0-446 CIP III CONT

Application No.  
10/648,464

Filing Date  
August 25, 2003

Examiner  
J. G. Blanco

Art Unit  
3738

Applicant(s): James D. Ralph, Stephen Tatar, and Joseph P. Errico

Invention: INTERVERTEBRAL SPACER DEVICE HAVING A SLOTTED PARTIAL CIRCULAR DOMED ARCH STRIP SPRING

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	9	- 20 =		x	
Independent Claims	2	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity

☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095  
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

*Michael J. Doherty*

Dated: February 23, 2005

Michael J. Doherty  
Attorney Reg. No.: 40,592

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 518-6337

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 23, 2005

Signature: *Michael J. Doherty* (Michael J. Doherty)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 23, 2005

Signature:

*Michael J. Doherty*  
(Michael J. Doherty)

Docket No.: SPINE 3.0-446  
CIP III CONT

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ralph et al.

Application No.: 10/648,464

Filed: August 25, 2003

For: INTERVERTEBRAL SPACER DEVICE  
HAVING A SLOTTED PARTIAL  
CIRCULAR DOMED ARCH STRIP SPRING

:  
:  
:  
:  
: Group Art Unit: 3738  
:  
: Examiner: J. G. Blanco  
:  
:  
:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the Office Action mailed August 24, 2004, Applicants submit the following amendments and remarks.